

**COMBINED DECLARATION
AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My citizenship, residence and post office address are as listed below next to my name.

I believe I am the original, first and ☐ sole/☒ joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: Determination of Cytotoxic Substances in Whole Effluent Samples

the specification of which

(a) ☐ is attached hereto.

(b) ☒ was filed on May 28, 1998 as Application Serial No. 09/086,138 and was amended on _____.

(c) ☐ was described and claimed in International Application No. _____ filed on _____ and amended on _____.

Acknowledgment of Duty of Disclosure

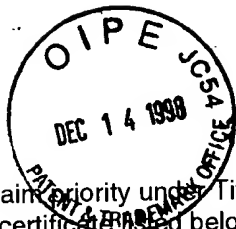
I hereby state that I have reviewed and understood the content of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the patentability of the subject matter claimed in this application in accordance with Title 37, Code of Federal Regulations § 1.56(a).

Power of Attorney

I hereby appoint Carl Oppedahl, PTO Reg. NO. 32,746, Marina T. Larson, PTO Reg. No. 32,038, and Nancy J. Parsons, PTO Reg. No. 40,364 of the firm of OPPEDAHL & LARSON, having office at P.O. Box 5270, 611 Main Street, Frisco, CO 80443 as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO:
OPPEDAHL & LARSON
P.O. Box 5270
Frisco, CO 80443-5270

DIRECT TELEPHONE CALLS TO:
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(970) 668-2050

**Claim for Priority**

I hereby claim priority under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have identified any foreign applications for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

EARLIEST FOREIGN APPLICATION(S), FILED WITHIN TWELVE MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION				
COUNTRY	APPLICATION NO.	DATE OF FILING (day/month/year)	DATE OF ISSUE (day/month/year)	PRIORITY CLAIMED
				YES <input type="checkbox"/> NO <input type="checkbox"/>
				YES <input type="checkbox"/> NO <input type="checkbox"/>
				YES <input type="checkbox"/> NO <input type="checkbox"/>

FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION				
COUNTRY	APPLICATION NO.	DATE OF FILING (day/month/year)	DATE OF ISSUE (day/month/year)	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

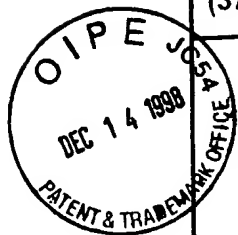
NAME OF SOLE OR FIRST INVENTOR	LAST NAME JAFJE	FIRST NAME ROBERT	MIDDLE NAME L.
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE Long Island City	STATE OR COUNTRY OF RESIDENCE New York	COUNTRY OF CITIZENSHIP USA
POST OFFICE ADDRESS 45-10 Court Square		CITY Long Island City	STATE/COUNTRY ZIP CODE New York 11101
DATE December 1, 1978		SIGNATURE <i>Robert J. Jaffe</i>	

- ☐ Signature for additional joint inventor attached. Number of Pages ____.
- ☐ Signature by Administrator(trix) or legal representative for deceased or incapacitated inventor. Number of Pages ____.
- ☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR § 1.47. Number of Pages ____.

#4

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(b))—INDEPENDENT INVENTOR**

Docket Number (Optional)
ETLI.P-002-US



Applicant, Patentee, or Identifier: Jaffe, Robert L.

Application or Patent No.: 09/086,138

Filed or Issued: May 28, 1998

Title: Determination of Cytotoxic Substances in Whole Effluent Samples.

As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ No such person, concern, or organization exists.
☐ Each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

Robert L. Jaffe

NAME OF INVENTOR

NAME OF INVENTOR

NAME OF INVENTOR

Signature of inventor

Signature of inventor

Signature of inventor

Date

Date

Date